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DISCLOSURE ADVISORY

For the person named above, whom the People may call as a witness, please be advised as follows.

1. The New York City Civilian Complaint Review Board (CCRB) noted the following misconduct on the part of Denis McCarthy: Other Misconduct Noted – Failure to Prepare a Memo Book Entry. This finding was made in connection with an incident that occurred on May 28, 2015, at West 44th Street and 8th Avenue. An ambulance staffed by two Emergency Medical Technicians (EMTs) responded on May 28, 2015, to deal with an individual who had overdosed. Officer McCarthy and multiple other officers were present at that scene. One of the responding EMTs had filed an earlier CCRB complaint about two of the officers present (not Officer McCarthy) as a result of an encounter on January 7, 2015 (at which Officer McCarthy was not present). One of the two officers who was subject to the complaint berated the EMT in a discourteous manner during the May encounter. The CCRB noted that Officer McCarthy had no notations in his memo book about the May 28, 2015 incident.
2. The New York Police Department (NYPD) has deemed substantiated the allegations that on or about October 2, 2020, Denis McCarthy committed the violations of Fail To Safeguard Department Equipment – Department Cellular Phone; Missing Department Equipment – Department Cellular Phone; and Fail To Notify in a Timely Manner – Internal Affairs Bureau.

Various publicly available websites and databases contain disciplinary information for certain law enforcement officers. Information in such databases about this officer is not necessarily included in this advisory.

Any information herein regarding civil lawsuits against an officer is not necessarily a complete list of civil lawsuits in which that officer is a defendant.

Allegations of misconduct that have not been substantiated and are not pending (including, but not limited to, findings of unsubstantiated, unfounded, and exonerated), and allegations of technical infractions, are not subject to disclosure and are not included in this advisory.

The decision to include information in this advisory does not represent a conclusion by the People that it is required to be disclosed.

The People reserve the right to oppose or move to limit the use of any information included herein or disclosed in the future.

If you have any questions, please contact the Assistant District Attorney assigned to the case on which you are receiving this advisory.

Date: December 4, 2020